

AMENDMENT NO. _____

Signature of Sponsor

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

AMEND Senate Bill No. 25

House Bill No. 1040

by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 55, Chapter 21, Part 1, is amended by adding the following as a new section:

(a) A law enforcement agency authorized to enforce parking laws may appoint a volunteer to issue a citation for violations of Tennessee Code Annotated, Section 55-21-108 or an ordinance dealing with parking privileges for handicapped persons, pursuant to the following provisions:

(1) A volunteer appointed under this section shall be either a disabled veteran or a physically handicapped person as designated in Tennessee Code Annotated, Section 55-21-106(a), and at least twenty-one (21) years of age. The law enforcement agency appointing a volunteer may establish any other qualifications the agency deems desirable. For the sole purpose of implementing the provisions of this subsection, a law enforcement agency may deputize such volunteers as special deputies. Such volunteers shall be deputies only for the purpose of carrying out duties authorized by this section, and no other activity shall be considered to be within the scope of their volunteer employment.

(2) Any agency appointing a volunteer shall provide training before authorizing a volunteer to issue citations.

AMENDMENT NO. _____

Signature of Sponsor

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

AMEND Senate Bill No. 25

House Bill No. 1040

(3) A citation issued by a volunteer appointed under this section shall have the same force and effect as a citation issued by a law enforcement officer for the same offense.

(b) Notwithstanding any provision of law to the contrary, any county having a metropolitan form of government with a population greater than one hundred thousand (100,000) may establish a special enforcement unit for the sole purpose of providing adequate enforcement of Tennessee Code Annotated, Section 55-21-108 and local ordinances and resolutions relative to disabled parking, pursuant to the following provisions:

(1) A city, county, or metropolitan government may establish recruitment and employment guidelines which encourage and enable employment of qualified disabled persons in such special enforcement units.

(2) A member of the special enforcement unit may issue a notice of a parking violation under Tennessee Code Annotated, Section 55-21-108, or local ordinances relative to disabled parking. A member of the special enforcement unit shall not be considered to be a law enforcement officer and shall not make an arrest in the course of the member's official duties, but shall wear a distinctive uniform and badge while on duty. A two-way radio unit, which may utilize police frequencies or citizens' band, may be issued by the local authority to each member of the special enforcement unit for use while on duty.

AMENDMENT NO. _____

Signature of Sponsor

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

AMEND Senate Bill No. 25

House Bill No. 1040

(3) A city, county, or metropolitan government may pay the cost of uniforms and badges for the special enforcement unit, and may provide daily cleaning of the uniforms. Additionally, the city, county, or metropolitan government may provide motorized wheelchairs for use by members of the special unit while on duty, including batteries and necessary recharging thereof. Any motorized wheelchair used by a member of the special enforcement unit while on duty shall be equipped with a single head lamp in the front and a single stop lamp in the rear.

(4) A member of the special enforcement unit may be paid an hourly wage without the benefits provided other permanent and temporary employees, but shall be entitled to applicable workers' compensation benefits as provided by law. Insurance provided by the city, county, or metropolitan government for disability or liability of a member of the special enforcement unit shall be the same as for other employees performing similar duties.

(5) Nothing in this section shall be construed to preclude a city, county, or metropolitan government from using regular full-time employees to enforce ordinances or resolutions adopted pursuant thereto.

SECTION 2. This act shall take effect July 1, 1995, the public welfare requiring it.